REMARKS

Claims 18, 28 and 35 are amended and Claims 36 and 37 are added. Claims 18-37, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Final Office Action dated June 12, 2007, the Examiner rejected Claims 18-20 and 22-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al. (U.S. Patent Number: 6,363,359) in view of Ives et al. ("After the Sale: Leveraging Maintenance with Information Technology", MIS Quarterly, Vol. 12, No 1, March 1988, pp 7-21).

Claim 18. Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

a.   An input means for receiving dynamic parametric data information related to electrical and mechanical operating parameters of customer equipment in the installation being remotely monitored for service purposes. (Col 2, lines 41 - 57) (The input means disclosed is not the sentinel as asserted in the amendments arguments but rather the mechanism inherently disclosed by the fact that the server receives a response from its query to the sentinel.)

b.   An equipment database storage device connected to said input means for receiving and storing said parametric data information in a form suitable for determining when to take corrective service action at the installation. (Col 5, lines 47-67) (Gronemeyer references a log file in this section that is transmitted to the server. The examiner has interpreted this, as presented in context, as a file of records relating to so are and hardware on the consumers computer. A database is simply a large collection of organized data. As such, the log file as described is considered a database. In order for the server to perform operations on this database to determine the related products needed by the customer, it must inherently be stored in memory on the server. At a very minimum it would need to be stored in a temporary memory. Additionally, the examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a

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device relies. Therefore, information regarding the hardware and software on a computing system, which is included in the log file is parametric data.)

c. A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (In Col. 1, lines 29-46 Gronemeyer discloses that a product database and a cross-reference database are obvious improvements that have previously been made in the art. As such, in Col 5, lines 47-67, when the server is describes as having goods and wares separated into different categories that interact with a log file to generates sales offers it inherently contains such databases)

d. An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Col 3, lines 11 -- 35; and Col 5, line 47 through Col 6, line 48) (The applicant asserts that Gronemeyer does not disclose the use of limits corresponding to possible values of parametric data related to operating parameters for creating offers. However, Gronemeyer specifically discloses the user of parametric data relating to computer hard drives for determining offers that are displayed to a customer)

While Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1 - 20). The analogous teaching of Ives further discloses intelligent elevators which have "self-diagnostic control systems that automatically notify Otis Elevator when maintenance

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is required (Ives: Page 13, Col 1, lines 3-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system disclosed by Gronemeyer in an elevator or escalator installation. One would have motivated to monitor such installations in order to provide elevator companies with the "the means to monitor and control the service side of their business" (Ives: Page 8, Col 2, lines 19-23)

Claim 19. Gronemeyer and Ives disclose the apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer and a web server connected to said customer database storage device for sending said sales offer to the customer. (Col 5, line 47 through Col 6, line 48)

Claim 20. Gronemeyer and Ives disclose the apparatus according to Claim 19 wherein said web server generates said sales of a on a web page for viewing by the customer. (Col 4, lines 34 - 42)

Claim 22. Gronemeyer and Ives disclose the apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer, said customer database storage device verifying accuracy of said sales offer against customer information stored in said customer database storage device. (Col 7, lines 56 - 64)

Claim 23. Gronemeyer and Ives disclose the apparatus according to Claim 18 including a customer database storage device connected to said offer generator for receiving said sales offer, said customer database storage device using customer information stored therein for transmitting said sales offer to the customer. (Col 7, lines 56 - 64)

Claim 24. Gronemeyer and Ives disclose the apparatus according to Claim 18 wherein said input means includes an interface connected to the customer equipment for receiving said parametric data information, a data collector means connected to said equipment database storage device and data transfer means connected between said interface and said data collector means for transferring said parametric data information to said equipment database storage device. (Col 2, lines 41- 57)

Claim 25. Gronemeyer and Wes disclose the apparatus according to Claim 18 wherein the product information includes information about devices and services related to the customer equipment. (Col 2, lines 41 - 57)

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Claim 26: Gronemeyer and Ives disclose the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). While Gronemeyer does not specifically state that a threshold is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a threshold. One would have been motivated to do so because the criteria supplied, hard drive capacity and available storage space, would readily lend themselves to calculating a percentage figure from which the threshold would be determined and a trigger point set. (i.e. Make offer if available storage space is less than 20% of the maximum capacity).

Claim 27: Gronemeyer and Ives disclose the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). While Gronemeyer does not specifically state that a range is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a range. One would have been motivated to do so because the criteria supplied, hard drive capacity and available storage space, would readily lend themselves to calculating a percentage figure from which a range would be established. Any percentage falling within this range would then trigger the generation of an offer. (i.e. Make offer if available storage space is between 5% and 20% of the maximum capacity).

Claim 28 Gronemeyer discloses a method of using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers, comprising the steps of:

a. Receiving dynamic parametric data information related to an electrical or mechanical operating parameter of customer equipment in an elevator installation or an escalator installation being remotely monitored for service purposes. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

b. Storing the parametric data information in an equipment database storage device in a form suitable for determining when to take corrective service action. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

c. Storing in a product database storage device product information related to a characteristic of at least one product including a limit corresponding to a possible value of

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the parametric data information. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

d.   Comparing a value of the stored parametric data information with the limit. (Col 1, lines 29-46; Col 3, lines 11 - 35 and Col 5, line 47 through Col 6, line 48)

e.   Generating a sales offer directed to a customer associated with the customer equipment when the value and the limit have a predetermined relationship representing a maintenance requirement. (Col I, lines 29-46; Col 3, lines 11 – 35 and Col 5, line 47 through Col 6, line 48)

While Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1 - 20). The analogous teaching of Ives further discloses intelligent elevators which have "self-diagnostic control systems that automatically notify Otis Elevator when maintenance is required (Ives: Page 13, Col 1, lines 3-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system disclosed by Gronemeyer in an elevator or escalator installation. One would have motivated to monitor such installations in order to provide elevator companies with the "the means to monitor and control the service side of their business" (Ives: Page 8, Col 2, lines 19-23)

Claim 29. Gronemeyer and Ives disclose the method according to Claim 28 including a step of storing in a customer database storage device customer information related to the customer and sending the sales offer to the customer based upon the stored customer information. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Claim 30. Gronemeyer and Ives disclose the method according to Claim 29 including sending the sales offer to the customer by at least one of regular mail, e-mail and a web page. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Claim 31. Gronemeyer and Ives disclose the method according to Claim 29 including using the customer information to verify the accuracy of the sales offer. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (Since the sales offer sent to the customer is based upon the

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customer information, the accuracy of the offer in relationship to the customer information is inherently verified)

Claim 32. Gronemeyer and Ives disclose the method according to Claim 28 including a step of monitoring the customer equipment to generate the parametric data information. (Col 3, lines 11 - 37; Col 4, lines 25 - 33; and Col 7, lines 31 - 40; and Col 8, lines 11 - 14) (Applicant asserts that Gronemeyer requires a user to interact with websites for the remote monitoring to occur. The cited references disclose the operation of remote monitoring to occur without user intervention.)

Claim 33. Gronemeyer and Ives disclose the method according to Claim 28 wherein said step c. is performed by storing in the product database storage device product information related to characteristics of a plurality of devices and services. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Claim 34. Gronemeyer and Ives disclose the method according to Claim 28 including performing said steps a through b. for a plurality of operating parameters of the customer equipment. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Claim 35. Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

a.   A data collector means for receiving parametric data information related to electrical and mechanical operating parameters of remotely monitored customer equipment being monitored for service purposes. (Col 2, lines 41 - 57)

b.   An equipment database storage device connected to said data collector means for receiving and storing said parametric data information in a form suitable for determining when to take a corrective service action. (Col 5, lines 47-67)

c.   A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

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d.   An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Col 3, lines 11 - 35; and Col 5, line 47 through Col 6, line 48)

e.   A customer database storage device connected to said offer generator means for receiving said sales offer. (Col 5, line 47 through Col 6, line 48)

f.   A web server connected to said customer database storage device for sending said sales offer to the customer. (Col 4, lines 34 - 42)

While Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1 - 20). The analogous teaching of Ives further discloses intelligent elevators which have "self-diagnostic control systems that automatically notify Otis Elevator when maintenance is required (Ives: Page 13, Col 1, lines 3-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system disclosed by Gronemeyer in an elevator or escalator installation. One would have motivated to monitor such installations in order to provide elevator companies with the "the means to monitor and control the service side of their business" (Ives: Page 8, Col 2, lines 19-23)

The Examiner rejected Claim 21 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer in view of Ives et al., and further in view of Palme et al (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML).

Claim 21: Gronemeyer and Ives disclose the apparatus according to claim 2 wherein said web server generates said sales offer as a web page (Col 6, lines 35-48). However, Gronemeyer does not specifically state that the generated web page is transmitted to the consumer using an email transportation protocol. In the analogous teachings of Palme, a method of encapsulating

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web pages in email documents is disclosed (Page 1, lines 18-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to send the generated sales offers via email. One would have been motivated to do so in order to provide potential customers with a reminder of the offer, in the event that the customer was not ready to make a purchasing decision during the browsing session.

The Response:

Applicant amended independent Claims 18, 28 and 35 to recite that the operating parameters of customer equipment being monitored include at least one of a usage parameter, an environmental parameter and mechanical deterioration. Applicant added dependent Claims 36 and 37 to further define the usage parameter as one of run time, trips per hour and cycle times and the environmental parameter as one of temperature changes, utility power and weather. Support for these amendments is found on Page 3, Lines 16-23 and on Page 6, Lines 29-32 of the specification.

Gronemeyer does not discuss usage parameters, environmental parameters or mechanical deterioration. In response to Applicant's previous comment that Gronemeyer does not disclose that the replacements are due to mechanical deterioration, the Examiner stated that Gronemeyer specifically discloses this in Col. 9, lines 30-35. Gronemeyer says that:

> For example, although not covered in detail herein, detailed client computing device information can form the basis of remote testing and diagnosis of failing client computing device components. The sentinel can then be used to order new components from available servers.

The only computing device information gathered by the Gronemeyer relates to the computing device configuration and a problem during POST. Such information may trigger remote testing and diagnosis, but such information is not a mechanical deterioration operating parameter. Nowhere does Gronemeyer describe the detailed client computing device information as being "operating parameters of customer equipment being monitored include at least one of a usage parameter, an environmental parameter and mechanical deterioration."

Gronemeyer describes a method and a system for facilitating e-commerce transactions between clients and servers over a network. A client computing device contacts a server to

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receive categories of goods or services offered by the server. A category is selected, the client is searched by a sentinel loaded within the client computing device and an inspection log is prepared. The inspection log is submitted to the server and a list of the goods and services offered by the server is sent to the client, the list being determined by the selected category. The list may also contain suggested purchases determined according to past client purchases, relevance to client installed goods, or expected client needs.

Ives discloses intelligent elevators which have "self-diagnostic control systems that automatically notify Otis Elevator when maintenance is required." (Page 13, Col 1, lines 3-19) This is exactly what Applicant is describing in independent Claims 18, 28 and 35 wherein it is stated that the dynamic parametric data information is obtained from remote monitoring of customer equipment for service purposes and is related to electrical and mechanical operating parameters of the customer equipment in an elevator installation or an escalator installation. However, combining such a system with Gronemeyer does not result in the claimed invention. As explained above, Gronemeyer already describes responding to a problem during POST to trigger remote testing and diagnosis. However, the combination of Gronemeyer and Ives does not result in operating parameters of customer equipment being monitored including at least one of a usage parameter, an environmental parameter and mechanical deterioration.

Palme describes MIME formatted messages for transmission of complete multi-resource HTML multimedia documents and does not provide the missing claimed subject matter.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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